

period, shall be a separate violation of the Clean Air Act.

(B) For the owners and operators for which the amount of TR SO₂ Group 2 allowances required to be held decreases as a result of the use of all such revised data, the Administrator will record, in all accounts from which TR SO₂ Group 2 allowances were transferred by such owners and operators for such control period to the assurance account established by the Administrator for the appropriate at TR SO₂ Group 2 sources, TR SO₂ Group 2 units, and State (and Indian country within the borders of such State) under paragraph (b)(3) of this section, a total amount of the TR SO₂ Group 2 allowances held in such assurance account equal to the amount of the decrease. If TR SO₂ Group 2 allowances were transferred to such assurance account from more than one account, the amount of TR SO₂ Group 2 allowances recorded in each such transferor account will be in proportion to the percentage of the total amount of TR SO₂ Group 2 allowances transferred to such assurance account for such control period from such transferor account.

(C) Each TR SO₂ Group 2 allowance held under paragraph (b)(6)(iii)(A) of this section as a result of recalculation of requirements under the TR SO₂ Group 2 assurance provisions for such control period must be a TR SO₂ Group 2 allowance allocated for a control period in a year before or the year immediately following, or in the same year as, the year of such control period.

[76 FR 48458, Aug. 8, 2011, as amended at 77 FR 10340, Feb. 21, 2012]

§ 97.726 Banking.

(a) A TR SO₂ Group 2 allowance may be banked for future use or transfer in a compliance account or a general account in accordance with paragraph (b) of this section.

(b) Any TR SO₂ Group 2 allowance that is held in a compliance account or a general account will remain in such account unless and until the TR SO₂ Group 2 allowance is deducted or transferred under § 97.711(c), § 97.723, § 97.724, § 97.725, § 97.727, or § 97.728.

§ 97.727 Account error.

The Administrator may, at his or her sole discretion and on his or her own motion, correct any error in any Allowance Management System account. Within 10 business days of making such correction, the Administrator will notify the authorized account representative for the account.

§ 97.728 Administrator's action on submissions.

(a) The Administrator may review and conduct independent audits concerning any submission under the TR SO₂ Group 2 Trading Program and make appropriate adjustments of the information in the submission.

(b) The Administrator may deduct TR SO₂ Group 2 allowances from or transfer TR SO₂ Group 2 allowances to a compliance account or an assurance account, based on the information in a submission, as adjusted under paragraph (a)(1) of this section, and record such deductions and transfers.

§ 97.729 [Reserved]

§ 97.730 General monitoring, record-keeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a TR SO₂ Group 2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subparts F and G of part 75 of this chapter. For purposes of applying such requirements, the definitions in § 97.702 and in § 72.2 of this chapter shall apply, the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “TR SO₂ Group 2 unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in § 97.702, and the term “newly affected unit” shall be deemed to mean “newly affected TR SO₂ Group 2 unit”. The owner or operator of a unit that is not a TR SO₂ Group 2 unit but that is monitored under § 75.16(b)(2) of this chapter shall